

BILL NO. Z-70-02-31

ZONING MAP ORDINANCE NO. Z-105-70

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. C-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. C-2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 1 and 2 East Creighton Ave. Addition
to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.



APPROVED AS TO FORM
AND LEGALITY



CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 1960, at _____ o'clock ~~P.M.~~ E.S.T.

Date: 2-24-70

Frederic H. Bonahoom
City Clerk

Read the third time in full and on motion by Dunifon seconded by Steigerwald and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

AYES 8, NAYS 0, ABSTAINED _____, ABSENT 1 to-wit:

Adams	_____	_____	_____	_____
Dunifon	<u>✓</u>	_____	_____	_____
Fay	<u>✓</u>	_____	_____	_____
Geake	<u>✓</u>	_____	_____	_____
Nuckols	<u>✓</u>	_____	_____	_____
Robinson	<u>✓</u>	_____	_____	_____
Rousseau	<u>✓</u>	_____	_____	_____
Steigerwald	<u>✓</u>	_____	_____	_____
Tipton	<u>✓</u>	_____	_____	_____

Date 4-14-70

Frederic H. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 2-105-70

on the 14th day of April, 1970.

ATTEST: (SEAL)

Frederic H. Bonahoom
City Clerk

Herbert L. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of April, 1970 at the hour of 8:30 o'clock A.M., E.S.T.

Frederic H. Bonahoom
City Clerk

Approved and signed by me this 15th day of April, 1970, at the hour of 2:38 o'clock P.M., E.S.T.

Harold S. Zis
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 24, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-02-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

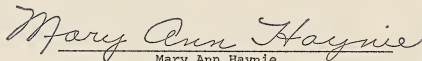
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 16, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 23, 1970.

Certified and signed this
13th day of April 1970.



Mary Ann Haynie
Secretary

Bill No. Z-70-02-31

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. C-2,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

JACK K. DUNIFON, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

PHIL A. STEIGERWALD

[Handwritten signatures of Jack K. Dunifon, Edwin J. Rousseau, Thomas G. Adams, William K. Geake, and Phil A. Steigerwald]

CONCURRED IN

DATE 4-14-70 FUAD G. BONAHOOM, CITY CLERK

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from a/an B1B District to a/an M1 District, the real estate described as follows, to-wit:

LOTS 1 AND 2 EAST CREIGHTON
AVE ADDITION TO THE CITY OF
FORT WAYNE

Harold Emmerich & Kaelon Corporation

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from a/an B.L.B District to a/an M 1 District, the real estate described as follows, to-wit:

LOTS 1 AND 2 EAST CREIGHTON
AVE. ADDITION to the CITY OF
FORT WAYNE

x Sheldon R. Wagner

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a notary public in and for said County and State this
26TH day of MARCH, 1970, personally appeared _____
HAROLD C. EMERICK AND NORMA L. EMERICK

and acknowledged the execution of the above Restrictive Covenant to be their
voluntary act and deed.

Donald E. Douglas
Notary Public

(SEAL)

My Commission Expires:

AUGUST 15, 1973

PREPARED BY Harold C. Emerick

RESTRICTIVE COVENANT

1, ~~W&S~~

Sheldon R. Wagner

being the owners of the real estate in Allen County, Indiana, described as follows:

Lot 2 In East Creighton Avenue Addition

in consideration of permission to use said real estate for M1 permitted uses
Sheldon R. Wagner, hereby covenant and agree, for ourselves, grantees,
personal representatives, successors and assignees as follows:

We will not erect, or permit to be erected, any building or
structure of any nature on said real estate nearer than 10
feet to the south line of the right-of-way of
Creighton Avenue.

~~XX~~
~~XX~~
~~XX~~
~~XX~~

This is not a personal covenant, but shall run with the land and
inure to the benefit of all owners of real estate within five hundred feet
of said real estate, and of the public. It may be enforced by injunction
on application by any of said owners or by the City of Fort Wayne on behalf
of the public.

Witness ^{my} ~~my~~ hand and seals this 2ND day of APRIL,

Sheldon R. Wagner (SEAL)
(SEAL)

Illinois
STATE OF ~~INDIANA~~)
 Cook) SS:
COUNTY OF ~~ALLEN~~)

Before me, a notary public in and for said County and State this
2 day of *April*, 1990, personally appeared _____
Sheldon R. Wagner

and acknowledged the execution of the above Restrictive Covenant to be ~~his~~ ^{*his*}
voluntary act and deed.

Robert L. Franklin
Notary Public

(SEAL)

My Commission Expires:

NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES JAN. 16, 1972
ISSUED THRU ILLINOIS NOTARY ASSOCIATION

PREPARED BY *T. LYMAN NEU*

\$ 25.00

February 2 1970 No.

RECEIVED OF

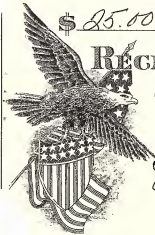
Chister D. Sarter

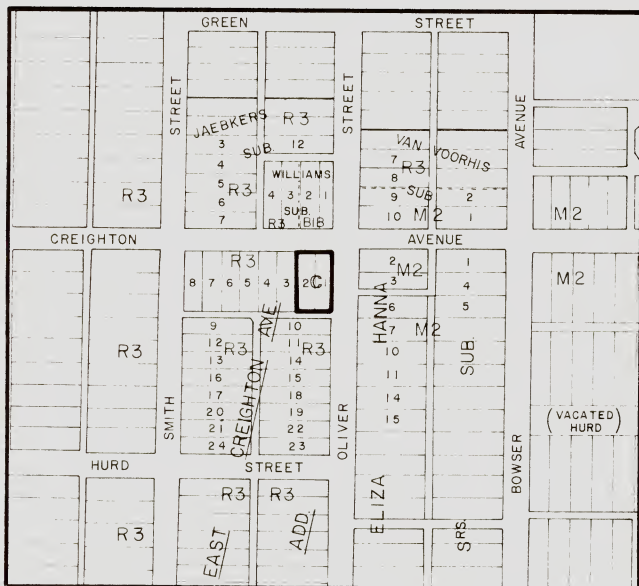
Twenty-five and 00/100 DOLLARS

Petition to rezone Lots 1 and 2
East Creighton Avenue.

By

Pat Carl





C CHANGE FROM BIB TO M1

2-70-02-31

2-7

31

N

Common Council City of Ft. Wayne
(Governmental Unit)

To NEWS-SENT INEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

68

1

69

COMPUTATION OF CHARGES

69 lines, columns wide equals equivalent lines at 28¢
cents per line

19.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

19.87

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 3, 1970 Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that she is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

April 27, 1970

May 4, 1970

Subscribed and sworn to before me this 8th day of May 1970

Notary Public

My commission expires March 8, 1974

Notice is hereby given that on the 14th day of April, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Zoning Map Ordinance, to-wit:

BILL No. 2-105-70
ZONING MAP ORDINANCE NO. 2-105-70 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 2-105-70 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2686, and the symbols on the City of Fort Wayne Zoning Map No. C-2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot 1 and 2 East Creighton Ave. Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

JACK K. QUINIFON, Councilman.

Read the third time in full and on motion by Dunliffe seconded by Steigewald and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunliffe, Fay, Geake, Nuckolls, Robinson, Rousseau, Steigewald, Tipton.

Nays none

Absent one, to-wit: Councilman Adams.

FUAD G. BONAHOOM, City Clerk.

Date: 4-14-70

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-105-70 on the 14th day of April, 1970.

HERBERT G. TIPTON, Presiding Officer

ATTEST: (SEAL)
FUAD G. BONAHOOM, City Clerk

Presented to me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of April, 1970 of the hour of 8:30 o'clock A. M., E.S.T.

FUAD G. BONAHOOM, City Clerk.

Approved and signed by me this 15th day of April, 1970, of the hour of 2:30 o'clock P.M., E.S.T.

HAROLD S. ZEIS, Mayor.

I, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full true and complete copy of Zoning Map Ordinance No. 2-105-70 passed by the Common Council on the 14th day of April, 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 15th day of April, 1970 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 2nd day of April, 1970.

FUAD G. BONAHOOM, City Clerk.

(SEAL)
4-27-74

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Body number of lines

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Total number of lines in notice

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1

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COMPUTATION OF CHARGES

69 lines, columns wide equals equivalent lines at 28¢
cents per line \$ 19.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 19.87

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 8, 1970

Title CLERK

Notice is hereby given that on the 14th day of April, 1970, the Common Council of the City of Fort Wayne, Indiana, in its Regular Session did pass the following Zoning Map Ordinance to-wit:

SILENCE ORDINANCE NO. 2-105-70

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated as M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2834, and the symbols on the City of Fort Wayne Zoning Map No. C-2 referred to herein, established by Section 9, Article III of said Chapter as amended, are hereby changed according to-wit:

Lots 1 and 2 East Creighton Ave. Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

TACK K. DUNIFON, Councilman.

Read the third time in full and on motion by Dunifon seconded by Stelgerwald and duly adopted, placed on its passage.

Passed by the following vote:

Ayes eight

Dunifon, Fay, Geoke, Nuckols, Robinson, Rousteau, Stelgerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Adams.

FUAD G. BONAHOOM, City Clerk.

Date: 4-14-70.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on Zoning Map Ordinance No. 2-105-70 on the 14th day of April, 1970.

HERBERT C. TIPTON, Presiding Officer

ATTEST: (SEAL)

FAUD G. BONAHOOM, City Clerk

Presented to me by the Mayor of the City of Fort Wayne, Indiana, on the 15th day of April, 1970 at the hour of 8:30 o'clock A.M., E.S.T.

Approved and signed by me this 15th day of April, 1970, at the hour of 2:38 o'clock P.M., E.S.T.

HAROLD S. ZEIS, Mayor.

I, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full true and complete copy of Zoning Map Ordinance No. 2-105-70 passed by the Common Council on the 14th day of April, 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 15th day of April, 1970 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of April, 1970.

FUAD G. BONAHOOM, City Clerk.

(SEAL)

4-27, 5-4.

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

April 27, 1970

May 4, 1970

Subscribed and sworn to before me this 5th day of May 1970

Notary Public

My commission expires March 8, 1974